

PTO/SB/21 (09-08)

Approved for use through 10/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/587,065       |
| Filing Date            | January 24, 2005 |
| First Named Inventor   | Magnus Wiethoff  |
| Art Unit               | 2856             |
| Examiner Name          | M. Shabman       |
| Attorney Docket Number | 10034.545        |

**ENCLOSURES** (Check all that apply)

|   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO/SB 08a(1p) and 1 document |
| <b>Remarks</b><br>THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES THAT MAY BE REQUIRED WITH RESPECT TO THIS COMMUNICATION, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT 50-2911.   |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                  |          |       |
|--------------|------------------|----------|-------|
| Firm Name    | SMITH LAW OFFICE |          |       |
| Signature    |                  |          |       |
| Printed name | Jeffry W. Smith  |          |       |
| Date         | Oct. 10, 2008    | Reg. No. | 33455 |

**CERTIFICATE OF TRANSMISSION/MAILING**

|   |  |      |  |
|---|--|------|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |  |      |  |
| Signature   |  |      |  |
| Typed or printed name   |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/21 (09-08)

Approved for use through 10/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/587,065

Filing Date

January 24, 2005

First Named Inventor

Magnus Wiethoff

Art Unit

2856

Examiner Name

M. Shabman

Attorney Docket Number

10034.545

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

PTO/SB 08a(1p) and 1 document

Remarks

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES  
THAT MAY BE REQUIRED WITH RESPECT TO THIS COMMUNICATION, OR CREDIT ANY  
OVERPAYMENT, TO DEPOSIT ACCOUNT 50-2911.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

SMITH LAW OFFICE

Signature

Printed name

Jeffry W. Smith

Date

Oct. 10, 2008

Reg. No.

33455

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
the date shown below:

Signature

Typed or printed name

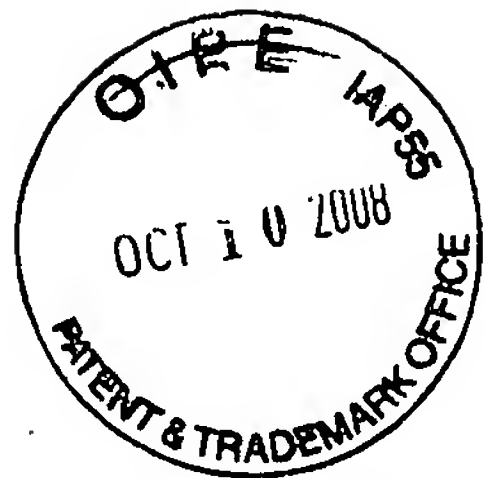
Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10-14-08

Ifu



EXPRESS MAIL LETTER

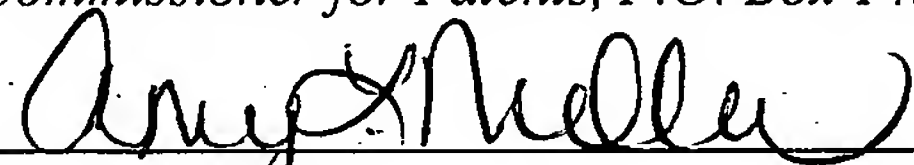
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wiethoff et al.  
Int'l Filing Date: January 24, 2005  
Application No.: 10/587,065  
For: METHOD AND DEVICE FOR DETERMINING THE QUALITY OF MILK PRODUCED  
BY MACHINE MILKING  
Docket No.: 10034.545  
Express Mail No.: EM263573221US  
Date of Deposit: October 10, 2008

I hereby certify that these attached documents

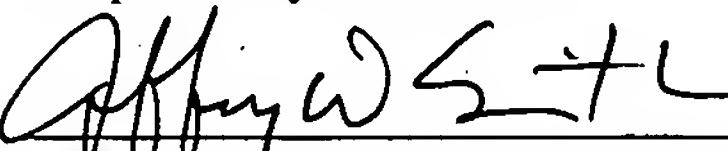
- Response postcard
- PTO/SB 21 (1p) and 1 copy
- Information Disclosure Statement (3pp); PTO/SB 08a (1p) and document

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 35 C.F.R. §1.10 on the date indicated above and is addressed to the *Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.*

  
(Amy L. Miller)

Enclosed for filing please find the above-referenced documents. Please indicate receipt of these documents by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

Respectfully submitted,

  
Jeffrey W. Smith, Reg. No. 33455  
Attorney for Applicant  
SMITH LAW OFFICE  
8000 Excelsior Drive, Suite 301  
Madison, WI 53717  
(608) 824-8300



## PATENT APPLICATION

In the United States Patent and Trademark Office

Applicant: Wiethoff et al.  
Docket No.: 10034.545  
Date: October 10, 2008  
Application No.: 10/587,065  
Int'l Filing Date: January 24, 2005  
Art Unit: 2856  
Examiner: M. Shabman

For: METHOD AND DEVICE FOR DETERMINING THE QUALITY OF MILK  
PRODUCED BY MACHINE MILKING

### Certificate of Mailing

I hereby certify that this  
correspondence is being deposited with  
the United States Postal Service as  
Express Mail in an envelope addressed  
to: Mail Stop Amendment,  
Commissioner for Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450

On October 10, 2008

Signature Amy L. Miller

Amy L. Miller

### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants request that this Information Disclosure Statement be considered because it has  
been filed within the following time period:

37 C.F.R. §1.97(b)

- \_\_\_\_\_ Within three months of the filing date of a national application other than  
a continued prosecution application under §1.53(d);
- \_\_\_\_\_ Within three months of the date of entry of the national stage as set forth in  
§1.491 in an international application;
- x   Before the mailing of a first Office Action on the merits;
- \_\_\_\_\_ Before the mailing of a first Office Action after the filing of a request  
for continued examination under §1.114;

Applicant: Wiethoff et al.  
Application No.: 10/587,065

37 C.F.R. §1.97(c)(d)

\_\_\_\_\_ Before the mailing of any of a final action under §1.113;

\_\_\_\_\_ Before a notice of allowance under §1.311;

\_\_\_\_\_ An action that otherwise closes prosecution in the application; or

\_\_\_\_\_ Filed on or before payment of the issue fee

And is accompanied by a:

Statement specified in §1.97(e):

\_\_\_\_\_x\_\_\_\_\_ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

\_\_\_\_\_ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

\_\_\_\_\_ The fee set forth in §1.17(p).

Applicant: Wiethoff et al.  
Application No.: 10/587,065

In accordance with 37 C.F.R. §1.56, Applicants call the attention of the Examiner to the following document(s):

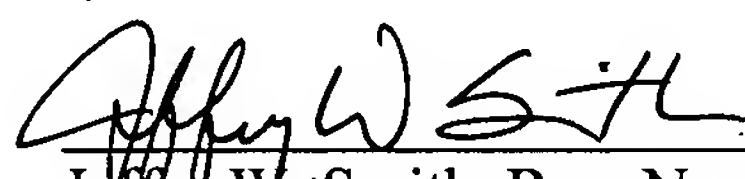
Foreign Patent Documents

| <u>Patent No.</u> | <u>Issue/Publication Date</u> | <u>Patentee</u> |
|-------------------|-------------------------------|-----------------|
| WO 00/27183       | 05-18-2000                    | Glensbjerg      |

A copy of this document is submitted herewith along with Form PTO/SB 08a.

Applicants respectfully requests that this document be expressly considered during the prosecution of this application and made of record herein and appear among the "documents cited" on any patent to issue herefrom.

Respectfully submitted,

  
Jeffrey W. Smith, Reg. No. 33455  
Attorney for Applicant  
SMITH LAW OFFICE  
8000 Excelsior Drive, Suite 301  
Madison, WI 53717  
(608) 824-8300